

Message Text

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ORIGIN PM-04

INFO OCT-01 EUR-12 ISO-00 L-03 DODE-00 EB-07 NRC-05

NSAE-00 TRSE-00 ERDA-05 CIAE-00 COME-00 H-02 SSO-00

SS-15 MC-02 NSC-05 NSCE-00 ACDA-05 INR-07 INRE-00

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DRAFTED BY PM/SAS:RWSMITH:RG

APPROVED BY PM/SAS:SWINSHIP

EUR/SE - MR. KIRBY

L/PM - MR. MICHEL (SUBS)

DOD/DSAA - COL. PRESTON (SUBS)

H - MR. DOBBS (SUBS)

PM/MC - MR. ROBINSON

PM/SAS - MR. JAMES

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FM SECSTATE WASHDC

TO AMEMBASSY ANKARA IMMEDIATE

INFO USCINCEUR

C O N F I D E N T I A L STATE 003902

E.O. 11652: GDS

TAGS: MASS, TU

SUBJECT: COMMERCIAL SALES OF MILITARY ITEMS TO TURKEY

REF: STATE 303857

1. WE UNDERSTAND THAT DURING HIS JAN 8-10 VISIT TO ANKARA, T. EDWARD BRASWELL, JR. OF SENATE COMMITTEE ON ARMED SERVICES MAY BE BRIEFED BY MISSION ON RECENT NEGOTIATIONS BY GOT TO PURCHASE THROUGH COMMERCIAL PROCEDURES US MILITARY EQUIPMENT, AND THAT QUESTION OF AIM-7 MISSILES AND F-4E AIRCRAFT MAY BE RAISED. FOR YOUR INFORMATION, CONFIDENTIAL

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FOLLOWING IS HAND-OUT WE PROVIDED TO CONGRESS DURING

DISCUSSIONS REFERRED TO IN REFTEL.

2. QUOTE: PL-94-104 PERMITS THE ISSUANCE OF LICENSES FOR THE EXPORT OF US MUNITIONS LIST ITEMS PURCHASED BY THE GOT FROM US FIRMS THROUGH COMMERCIAL PROCEDURES. THE USG HAS RECEIVED SEVERAL REQUESTS FROM US BUSINESS FIRMS FOR SUCH LICENSES, AS WELL AS ADVISORY OPINIONS RELATED THERETO, INCLUDING AN APPLICATION FROM THE RAYTHEON CORP. FOR THE SALE TO TURKEY FOR USE ON ITS F-4 AIRCRAFT OF 300 AIM-7 SPARROW MISSILES WHICH ARE VALUED AT \$21.9 MILLION. PREVIOUS SALES OF THESE MISSILES HAVE BEEN MADE THROUGH FMS PROCEDURES. WE PLAN TO APPROVE THIS REQUEST FOR COMMERCIAL PURCHASE OF THE MISSILES FOR THE FOLLOWING REASONS:

1)--THESE MISSILES DO NOT CONTAIN ANY COMPONENTS PROVIDED BY DOD AND CAN THEREFORE ROUTINELY BE PROVIDED THROUGH COMMERCIAL CHANNELS;

2)--THEY WILL BE USED ON THE 40 F-4E AIRCRAFT ALREADY SOLD TO THE GOT AS PART OF THE NATO DETERRENT;

3)--DELIVERY UNDER THE REQUESTED LICENSE WILL TAKE UP TO ONE YEAR AND DURING THAT PERIOD THE LICENSE CAN BE SUSPENDED AT ANY TIME;

4)--SIMILAR EQUIPMENT IS AVAILABLE FROM FOREIGN SOURCES, AND WE DO NOT WISH TO DISCRIMINATE AGAINST US FIRMS;

5)--DENYING LEGITIMATE REQUESTS FOR EXPORT LICENSES WOULD FURTHER DAMAGE US-TURKISH RELATIONS. UNQUOTE.

3. EMBASSY WILL NOTE THAT WHILE REFERRING TO REQUESTS RECEIVED BY DEPARTMENT FOR EXPORT LICENSE APPLICATIONS AND ADVISORY OPINIONS, WE COMMENTED IN DETAIL ONLY ON THE ONE EXPORT LICENSE PENDING AT THAT TIME. WE DID NOT GET INTO SPECIFICS OF VARIOUS ADVISORY OPINION REQUESTS RECEIVED TO DATE. DEPARTMENT IS REQUIRED TO REPORT TO CONGRESS ON WEEKLY BASIS LICENSES ISSUED FOR EXPORT OF CONFIDENTIAL

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EQUIPMENT ON US MUNITIONS LIST, VALUED IN EXCESS OF \$100,000, BUT THERE IS NO SIMILAR REQUIREMENT FOR FAVORABLE ADVISORY OPINIONS ISSUED. LATTER ARE NORMALLY REQUESTED BY US BUSINESS FIRMS IN ADVANCE OF THEIR FORMAL CONTRACT NEGOTIATIONS WITH FOREIGN COUNTRIES IN ORDER TO OBTAIN GENERAL IDEA OF WHAT USG REACTION LIKELY TO BE IN EVENT SUCH NEGOTIATIONS RESULT IN ACTUAL CONTRACTS AND DELIVERY OF ITEMS BECOMES IMMINENT, NECESSITATING APPLICA-

TION FOR EXPORT LICENSE. ADVISORY OPINIONS ARE ISSUED WITH UNDERSTANDING THAT EXPORT LICENSE APPLICATION MUST STILL BE SUBMITTED AND APPROVED AT TIME OF EXPORT BY APPROPRIATE USG AGENCIES.

4. WE RECOMMEND THAT MISSION FOLLOW SAME GENERAL LINE AS CONTAINED IN PARA 2 ABOVE IN ANY BRIEFINGS OF CONGRESSIONAL REPRESENTATIVES. YOU MAY SAY THAT IN ADDITION TO THE RAYTHEON LICENSE, DEPARTMENT HAS ISSUED OTHER LICENSES FOR THE EXPORT TO THE GOT OF ROUTINE ITEMS TRADITIONALLY PURCHASED BY TURKS THROUGH COMMERCIAL PROCEDURES, I.E., TOOL SETS, SPARE PARTS, PUBLICATIONS, ETC. IF ASKED ABOUT ADVISORY OPINIONS, YOU MAY POINT OUT DISTINCTION BETWEEN THEM AND EXPORT LICENSES AS DISCUSSED PARA 3 ABOVE AND PARA 3 OF REFTEL. IF IT IS NECESSARY TO DISCUSS FAVORABLE ADVISORY OPINION ISSUED TO MCDONNELL DOUGLAS FOR POSSIBLE GOT PURCHASE OF F/RF-4E'S, YOU MIGHT POINT OUT THAT ANY DELIVERY RESULTING FROM SUCH A TRANSACTION IS YEARS AWAY, AND THAT WE HAVE INFORMED MCDONNELL DOUGLAS IN THE ADVISORY OPINION THAT THE CONVERSION OF THAT PROPOSED COMMERCIAL PURCHASE TO A FMS TRANSACTION COULD EVENTUATE DEPENDING UPON CHANGING CIRCUMSTANCES AND MUTUAL AGREEMENT BETWEEN USG AND GOT. KISSINGER

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Margaret P. Grafeld
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